



**STATE OF MONTANA
SECRETARY OF STATE'S OFFICE
JOB PROFILE AND EVALUATION**

SECTION I - Identification

Working Title: Compliance Technician

Department: Secretary of State

Class Code Number: 434314

Division: Business Services Division

Class Code Title: License Permit Technician

Section/ Unit: Business Compliance Unit

Pay Band: 4

Work Address:

1301 E 6th Ave.
Helena, MT 59601

Position Number: 32134001 (modified)

Phone: 444-3665

☐ FLSA Exempt

☒ FLSA Non-Exempt

Profile Completed By: Tana Gormely

Work Phone: 444-2896

Work Unit Mission Statement or Functional Description:

The Secretary of State is one of six executive branch officers originally designated by the Montana Constitution of 1889. The duties of the secretary of state include: interpreting state election laws and overseeing elections; maintaining the official records of the executive branch and the acts of the legislature; reviewing, maintaining, and distributing public-interest records of businesses and nonprofit organizations; filing, publishing, and maintaining administrative rules adopted by state departments, boards and agencies; attesting to the governor's signature on executive orders, proclamations, resolutions, extradition papers, and appointments; preserving the state seal; filing and maintaining records of secured financial transactions, such as liens; serving on the state Board of Land Commissioners and the Board of Examiners; and commissioning notaries public. The Secretary of State's Office is divided into four Divisions: Elections, Business Services, Management Services and Administrative Rules, and Records Management.

The Business Services Division's mission is to serve the business community of Montana and other states and countries by ensuring the accurate and efficient filing, retention, and certification of business documents. The Secretary of State's Office works for and with its customers, continuously striving to improve service. Our office strives to provide responsive and responsible service to our customers with a commitment to continuous improvement, new ideas, and innovative approaches.

The Business Services staff, discharge the duties of the Secretary of State to provide a central processing and evaluation point for business registrations. The staff reviews, approves, maintains, and distributes records of business and non-profit organizations.

Describe the Job's Overall Purpose:

Reviews business registration documents to make final determination of compliance with statutory requirements in Title 30 and Title 35, MCA and the administrative regulations set forth in Title 44, chapter 5 ARM. Specifically, review and final determination made by this position results in acceptance or rejection of registration, renewal, amendment and voluntary cancellations for Assumed Business Names, Limited Liability Partnerships and Trademarks. The filing of business documents protects the entity's name and provides the business the authority to transact business in the State of Montana under their business name. The rejection of these business documents may result in a delay in entities transacting business in the State, which may in turn have a negative economic impact to the State. Prepares and sends correspondence that details deficiencies in business document along with corrective action for business to take to resolve each deficiency. Prepares and sends certification letters for filed business documents.

SECTION II - Major Duties or Responsibilities

% of Time

A. Compliance Business Documents

70%

Determines and certifies the accuracy and completion of business entity documents based on SOS policies and rules. Ensures all documents are in compliance with MCA using knowledge of a variety of business filings and transactions which include assumed business names, limited liability partnerships and trademarks. This duty requires knowledge of Title 44 of ARM, Titles 30 and 35 MCA, and the SOS history of business filing policies specific to these business types.

1. Reviews information provided on business entity documents to identify filing type and reviews statutory requirements for compliance with criteria in MCA. This involves research and analysis of terms, business requirements, name availability, and other details specific to each business entity. Determines if business name is unique and distinguishable based on statute and policies.
2. Evaluates all information submitted for compliance with Title 30 and 35 MCA. Certification of business documents is dependent on businesses providing complete and correct information that satisfies numerous requirements outlined in Title 44 of ARM, Titles 30 and 35 MCA. Takes into consideration such variables as the structure of the business organization; the inclusion of partners, individuals and other business applicants; the duration of business; the type of business; required signatures, name availability, etc.
3. Conducts further review of business documents as needed to identify deficiencies. Reviews documents for completeness based on knowledge of Title 44 of ARM, Titles 30 and 35 MCA and of the SOS history of filing policies, and certifies that the documents they process are current and complete. Confirms or rejects each business filing. Through written correspondence, assists customers in steps to take when good standing is jeopardized for failure to renew their business registration.
4. Assesses fees for documents meeting all statutory and policy requirements. This requires knowledge of applicable administrative rules and the SOS database used for electronic storage of business filings. Enters document information into corporate database using knowledge of what data is required, understanding of system functions, and the various code types found in statute and policy.
5. Drafts a certification letter to each business entity to inform customer of filing status. Letter includes company name, submitter information, and a wide variety of specific information related to the business and the action requested.

B. Customer Service

30%

Using specialized knowledge of the principals and processes associated with customer service, provides assistance to businesses that enables them to remain active and in good standing with SOS so they are authorized to transact business within the state by:

1. Drafting and sending detailed correspondence that informs customers of deficiencies with their business document along with steps to correct those deficiencies to satisfy statutory requirements.

1. Give specific examples of the types of problems solved, decisions made or procedures followed when performing the most frequent duties.

Each business in Montana is unique in the manner in which they organize, in the structure of their organization, in the inclusion of partners, individuals and other business applicants, in the length of time they transact business, in the type of business they are transacting, and in the designations of authority they provide. The Compliance Technician must maintain a broad knowledge of the business registration laws and apply it to each unique business registration document presented. There are currently over 150,000 active business files in the Secretary of State's Office.

With the above in mind, the Compliance Technician analyzes each business document with a goal of certifying that all information presented meets statutory compliance. As part of that process the Compliance Technician advises business filers, confirms or rejects filing documents, and provides guidance to businesses regarding their document filings. In addition, the Compliance Technician analyzes laws and procedures to determine where changes are needed in order to provide better customer service and improve overall compliance of business documents.

In the course of performing their duties, the Compliance Technician:

- a. Prevents businesses from experiencing issues that may arise if they have not successfully registered their business or maintained their "good standing" status with the Secretary of State's office. Example, customers submit renewal of their business registration to retain their "good standing" status so they can successfully obtain a loan from the bank. Financial institutions verify the Secretary of State's records prior to loaning to ensure the business is registered and in good standing. Compliance Technicians must review and process submitted documents from business in order to restore their business to good standing.
- b. Advises businesses through written correspondence on steps they must take when their "good standing" with the Secretary of State's office is jeopardized for failure to properly register, renew, or amend their business documents in accordance with state law.

2. What do you consider the most complicated part of the job?

Handle large volumes of work for complex documents within designated statutory timeframes.

3. What guidelines, manuals or written established procedures are available to the incumbent?

Titles 30 and 35, Montana Code Annotated,
Title 44 of Administrative Rules,
Legal Opinions,
Training guidelines established by the Secretary of State's Office and Forms.

4. Which of the duties and/or specific tasks listed under, #1. (noted above) are considered “essential functions” that must be performed by this position (with or without accommodations)?

The following duties are considered essential functions because they require specialized expertise and skill and are the primary reasons the job exists:

Duty A: Compliance Corporate Documents

Duty B: Customer Service

PHYSICAL

- Carry light items (papers, books, small parts)
- Remaining seated for extended periods of time, with occasional walking; standing; bending
- Operating a personal computer
- Detailed and comprehensive written communication.

MENTAL

- Ability to multi-task
- Demands for accuracy in all aspects of work
- Ability to meet inflexible deadlines
- Computing arithmetic operations
- Comparing data
- Compiling information
- Analyzing, Synthesizing
- Coordinating
- Instructing through written correspondence

5. Does this position supervise others? ☐ Yes ☒ No

Number directly supervised: 0

Complexity level of the positions supervised:

Position Number(s) of those supervised:

6. This position is responsible for:

- | | | | |
|---|-------------------------------------|--------------------------------------|------------------------------------|
| <input type="checkbox"/> Hiring | <input type="checkbox"/> Firing | <input type="checkbox"/> Supervision | <input type="checkbox"/> Pay Level |
| <input type="checkbox"/> Performance Management | <input type="checkbox"/> Promotions | <input type="checkbox"/> Discipline | |
| <input type="checkbox"/> Other: | | | |

SECTION III - Minimum Qualifications - List minimum requirements for the first day of work.

Critical knowledge and skills required for this position:

KNOWLEDGE:

Basic knowledge of a variety of business filings and transactions such as assumed business names, limited liability partnerships and trademarks. The ability to learn and comprehend applicable sections of

law under Title 44 of ARM, Titles 30 and 35 MCA, and the SOS history of filing policies during the training period.

Employee must be proficient on a computer, including typing no fewer than 40 wpm, and have considerable knowledge and experience working with window based applications, including web-based applications.

Employee must have ability to be trained in operating and maintaining office equipment.

Employee should have familiarity with how to find read and interpret state and federal statutes, rules and regulations.

Employee must have the ability to communicate in writing relevant and often complex information to customers.

Employee should have ability to prioritize work and focus on details.

Employee must be able to perform complex procedures and compliance reviews in a very condensed time frame. To perform these duties the employee must be detailed oriented, possess a proficiency and desire to resolve issues on their own.

Employee must have ability to relate daily work to finished product to foresee problems and develop solutions.

Behaviors required to perform these duties:

- **Verbal Communication:** Keeps appropriate individuals informed. Listens to others respectfully, understands or seeks clarification, and responds appropriately demonstrating tact and diplomacy. Expresses thoughts and ideas clearly. Maintains a positive work atmosphere by behaving and communicating in a manner that promotes cooperation with customers, clients, co-workers and managers.
- **Written Communication:** Writes clearly, logically and effectively using proper style, tone, grammar, spelling and punctuation. Written work products are appropriate to the intended audience
- **Flexible at Work:** Responds positively to changes in direction, priorities, responsibilities, personnel or assignments. Works effectively in a variety of situations and with a variety of individuals or groups. Maintains composure and displays restraint when faced with opposition, stress, or hostility from others.
- **Working with Others:** Relates to others in an open and accepting manner; is approachable. Offers and accepts opinions constructively. Adjusts to how individuals and the work unit will react. Treats others with respect. Constructively resolves disagreements. Is open to others' ideas and gives credit and recognition to others. Strives to create a positive work climate and energizes and inspires others to do their best.
- **Responsive to Work Needs:** Willing to perform different jobs, cross train, or assist wherever needed. Is aware of co-worker workload and responds accordingly.
- **Initiative:** Suggests improvements and new ideas, technologies and approaches to the workflow and Division needs. Willingly applies new and evolving ideas, methods, designs and technologies as changes arise in the office.

- **Efficiency and Focus:** Uses time effectively and prioritizes tasks. Is aware of workload and makes appropriate adjustments to meet deadlines and complete tasks. Handles interruptions or distractions and stays on task. Achieves goals.
- **Accuracy:** Ensures accuracy of work and makes corrections in a timely manner. Is conscientious and monitors own quality of work.
- **Attendance:** Arrives on time for work and demonstrates good attendance record.
- **Organizational Awareness:** Understands and follows the rules, policies and laws that govern work. Identifies key decision-makers; understands and respects the balance of authority. Acts in accordance with the State Ethics policy. Represents self and the office in a professional manner.

Education:

Check one box indicating minimum education requirements for this position for a new employee the first day of work:

- | | |
|--|--|
| <input type="checkbox"/> No education required | <input type="checkbox"/> Related AAS/2-years college/vocational training |
| <input type="checkbox"/> High school diploma or equivalent | <input type="checkbox"/> Related Bachelor's Degree |
| <input checked="" type="checkbox"/> 1-year related college/voc. training | <input type="checkbox"/> Related Master's degree |

The acceptable and related fields of study:

Paralegal or Business Administration, Public Administration or related field. This position requires a minimum of 1 year of job-related college or vocational/technical training and 3 or more years of job-related experience, or a combination of education and job-related experience equivalent in which one year of additional education equals one year of experience.

Required/Acceptable:

Related:

Other education, training, certification, or licensing required (specify):

Microsoft Office products including WORD, Outlook e-mail.

Experience:

Check the one box indicating minimum work-related experience requirements for this position for a new employee the first day of work:

- | | |
|---|--|
| <input type="checkbox"/> No prior experience required | <input checked="" type="checkbox"/> 3 to 4 years |
| <input type="checkbox"/> 1 to 2 years | <input type="checkbox"/> 5 or more years |

Other specific experience (optional):

Alternative Qualifications:

This agency will accept alternative methods of obtaining necessary qualifications.

- ☒ Yes ☐ No

SECTION IV – Other Important Job Information

Work is performed in a normal office environment, and the position requires the ability to communicate effectively in written correspondence. Work hours vary in complying with numerous deadlines, customer requests, interruptions and wide fluctuations in work volumes, and deadlines require the employee to be able to work under pressure for long periods of time.

SECTION V – Signatures

My signature below (typed or hand written) indicates the statements in Section I to IV are accurate and complete.

Employee:

Name: _____ Title: _____

Signature: _____ Date: _____

Immediate Supervisor:

Name: _____ Title: _____

Signature: _____ Date: _____

Deputy:

Name: _____ Title: _____

Signature: _____ Date: _____

Department Designee:

Name: _____ Title: _____

Signature: _____ Date: _____